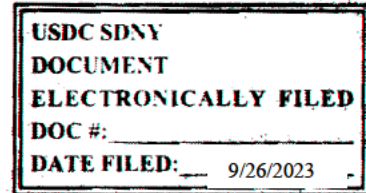


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



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**PATRICK CONWAY,**

**Plaintiff,**

**21-CV-06512 (RA)(SN)**

**-against-**

**ORDER**

**HEALTHFIRST, INC.,**

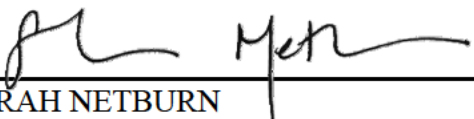
**Defendant.**  
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**SARAH NETBURN, United States Magistrate Judge:**

In its letter to the Court, Defendant proposed that the Court conditionally dismiss the underlying action for failure to prosecute, subject to re-opening if Plaintiff obtains counsel. The Court is unaware of any legal authority requiring an individual plaintiff to retain counsel in order to pursue their claims against a defendant. Further, the Court is not persuaded by Defendant's contentions that Plaintiff's conduct amounted to a failure to prosecute, as Judge Ronnie Abrams issued a decision on Defendant's Motion to Dismiss less than three weeks ago on September 6, 2023.

Accordingly, Defendant is directed to file an Answer to the Complaint with respect to Plaintiff's retaliation claims under the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101, *et seq.*, and the Rehabilitation Act, 29 U.S.C. § 701, *et seq.*, by October 2, 2023.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: September 26, 2023  
New York, New York